

Your Comment on the Delmore Project

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email at substantive@fastrack.govt.nz

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
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Please provide your comments below, include additional pages as needed.

Please find comments attached



Linda Kirk
Fast Track Applications Manager

Acting pursuant to delegated authority on behalf of the Director-General of Conservation.

Date: 28/07/2026

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

Comments on draft conditions for a fast-track consenting application

Fast-track Approvals Act 2024 section 70

To: The Expert Panel

From: Department of Conservation

Regarding fast-track project: Delmore

Fast track Reference: FTAA-2512-1164

Comments on draft conditions of resource consent (General Conditions – applies across all consents)

Condition #	Draft condition with marked up suggestions	Comments and reasoning
6	At least 20 working days prior to the commencement of construction activity for any stage or sub-stage of the development, the management plans and other documents listed below are required under the following conditions must be submitted to Council for certification. (a) A Construction Management Plan (CMP) – see Condition 2 of land use consent; (b) An Erosion and Sediment Control Plan (ESCP) – see Condition 3 of land use consent; (c) A Construction Traffic Management Plan (CTMP) – see Condition 5 of land use consent; (d) A Construction Air Quality Management Plan (CAQMP) – see Condition 6 of land use consent; (e) A Construction Noise and Vibration Management Plan (CNVMP) – see Condition 7 of land use consent;	While the conditions of the land use consent require various parts of the EMP to be followed, there is no single condition requiring the certified EMP as a whole to be implemented, or any later changes to be re-certified. The Department considers this may have been an accidental omission as all other management plans have been provided for by condition 6 of the general conditions. Omission of the Wetland Offset Plan and Culvert Monitoring and Management Plans appear to be an oversight and these have also been added.

Condition #	Draft condition with marked up suggestions	Comments and reasoning
	(f) A Chemical Treatment Plan (ChTMP) – see Condition 8 of land use consent;	
	(g) An Adaptive Management Plan (AMP) – see Condition 9 of land use consent;	
	(h) A Settlement Monitoring Plan (SeMP) – see Condition 11 of land use consent;	
	(i) A Tree Management Plan (TMP) – see Condition 12 of land use consent;	
	(j) A Fauna Management Plan (FMP) – see Condition 13 of land use consent;	
	(k) A Stream Works Management Plan (SWMP) – see Condition 1 of the stream works consent; and	
	(l) A Native Fish Capture and Relocation Plan (NFCRP) – see Condition 3 of the stream works consent.	
	(m) <u>An Ecological Management Plan (EMP) – see Condition 16 of the land use consent</u>	
	(n) <u>A Wetland Offset Management Plan (WOMP) - see Condition 15 of the land use consent.</u>	
	(o) <u>A Culvert Monitoring and Management Plan (CMMP) - see Condition 17 of the land use consent.</u>	
<i>Advice note: Management Plans and the other documents listed above shall be sent to monitoring@aucklandcouncil.govt.nz.</i>		

Comments on draft conditions of resource consent (Land Use)

Condition #	Draft condition with marked up suggestions	Comments and reasoning
12	At least 20 working days prior to the commencement of any vegetation clearance works for any stage or sub-stage of the development, the Consent Holder must prepare and submit to Council a final TMP for certification. The purpose of the TMP is to manage arboricultural effects on vegetation identified within the Arboricultural Report and to specify procedures for restricting the spread of kauri dieback. Measures for kauri dieback management must include: 1. Identification and mapping of all kauri trees within or adjacent to the works area and establishment of a Kauri Contamination Zone <u>(means the area within a radius equal to three times the maximum radius of the canopy dripline of a kauri tree);</u> 2. Implementation of vehicle, machinery, equipment and footwear hygiene procedures for any works undertaken within the Kauri Contamination Zone to prevent the spread of contaminated soil and organic material; 3. Installation and use of wash-down or cleaning facilities for vehicles, machinery and equipment entering or leaving the Kauri Contamination Zone; 4. Management of earthworks to ensure that soil and organic material disturbed within the Kauri Contamination Zone is not transported beyond that area, unless it is disposed of at an approved landfill; and 5. Adoption of best practice kauri dieback management protocols, including those relating to tree removal, pruning, and machinery hygiene.	This definition is proposed for clarity and is based on Biosecurity (National Pest Management Plan) Order 2022.
15	At least 20 working days prior to the commencement of earthworks on-site, the Consent Holder must prepare and submit to Council for certification, a final Wetland Offset Plan. The Wetland Offset Plan must be prepared with input from a suitably qualified ecologist,	This clarification has been proposed to ensure that the Wetland Offset Plan is designed to achieve no net loss of natural wetland extent and values, rather than just the spatial area as inferred by the condition as drafted. This is to ensure that, for example, effects on a

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	hydrologist and stormwater engineer. The objective of the Wetland Offset Plan is to attain a no net loss of natural wetland <u>extent and values areas</u>. The Wetland Offset Plan must be in general accordance with the following documents referenced in Attachment 1, as follows: (p) The Landscape Plans prepared by Greenwood Associates, dated June 2026; (q) The report prepared by WWLA, titled "Wetland and Culvert Assessment", dated December 2025; and (r) The report prepared by Viridis, titled "Delmore Fast Track Application – Ecological Impact Assessment", dated December 2025. The Wetland Offset Plan must include the following minimum details: (a) Calculated accountancy for unavoidable wetland reclamation in accordance with the AUP(OP) Appendix 8; (b) The location of the area(s) proposed for wetland creation; (c) Works to ensure wetland hydrology is created and maintained; (d) Planting schedule, including species, density and grade; (e) Legal protection of the new wetlands (e.g. a consent notice); (f) A five-year maintenance and monitoring plan to ensure the wetland(s) and associated planting is successfully established; and (g) Measures to be undertaken if the wetland(s) or	wetland of a smaller area but of higher ecological value, are offset in an appropriate manner.

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	planting(s) is not successful. <i>Advice note: The Wetland Offset Plan may be submitted in stages or sub-stages to align with the development staging.</i>	
16	At least 20 working days prior to the commencement of earthworks on the site for any stage or sub-stage of the development, the Consent Holder must prepare and submit to Council for certification, an EMP prepared by a suitably qualified ecologist for all areas identified on the Drawing titled "Ecological and Landscape Management Plans Scope Delineation", prepared by Greenwood Associates and dated 2 June 2026. The EMP must include as a minimum: (a) The location of all revegetation planting; (b) Planting schedules for ecological revegetation planting (to include species, number of plants and spacings, etc.) <u>targeting indigenous forest type WF11 (kauri, podocarp, broadleaf);</u> (c) Infill planting schedules for gaps created in existing bush covenant areas and SEA areas following pest plant control activities; (d) The details and timing of revegetation planting, including which areas will be implemented prior to s224(c) certification for each stage; (e) Confirmation that plants will be eco-sourced from the Tamaki or Rodney Ecological Districts; (f) Confirmation that the required extent of revegetation required under the Biodiversity Offset Accounting Model (BOAM) has been achieved; (g) A programme and specification for ongoing control of	Amendments have been included to clarify that the five year establishment period commences when all of the relevant planting has been completed. In an email to the applicant (dated 03/06/2026) the Department sought that <i>"because the EMP is replacing the Planting Implementation and Maintenance Plan previously reviewed, the final EMP should carry forward the relevant implementation and maintenance detail from that plan, except where it is superseded or strengthened by the revised EMP conditions"</i>. The Department seeks that the WF11 planting intent, species mix, and relevant implementation and maintenance requirements previously agreed to will be carried through into the final Ecological Management Plan. This appears to be referred to through the monitoring in condition 72 but is not explicitly clear in condition 16 which sets out the minimum requirements for the management plan. The amendments sought are also consistent with the methods agreed with the Applicant, detailed in Appendix A to the Department's comments made under section 53 of the Fast Track Approvals Act.

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	pest plants and pest animals in perpetuity, including • how these activities will be integrated with management of the wastewater irrigation infrastructure related to Consent Notice Area 6079871.2; • <u>The Consent Holder will undertake regular maintenance visits;</u> • <u>that all weeds identified during an initial planting or following maintenance or inspection visit will be removed, weeds and grasses shall always be controlled before they flower, set seed or get to half the height of the new plantings.</u> (h) Locations of pest animal control devices across the site; (i) Methods for ensuring that the vegetation that has been planted is protected in perpetuity; and (j) Delegation of responsibilities between the Consent Holder and the Resident's Society, as follows: • The Consent Holder is responsible for the establishment and maintenance of all new planting as detailed within the Landscape Plans referenced under Attachment 1, until 80% canopy closure has occurred and a minimum survival rate of the plants being 90% of the original density through the entire planting area(s) has been achieved over a minimum 5 year defects liability, period commencing <u>when planting is completed in the relevant area, unless all relevant planting is</u>	

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	<u>required to be completed before</u> on the date that the section 224(c) certificate is issued. Once all new planting is established in accordance with the above, the Resident's Society is responsible for the ongoing maintenance and ongoing eradication of pest plants and animals. <i>Advice note: Pest plant eradication means, that there are no mature, fruiting and / or flowering individuals of weed species present within the covenant area and any weed species present are dead. In addition, there must be no areas where weed species are smothering and / or out competing native vegetation including suppressing the natural regeneration processes. Pest animal control means meeting Council's minimum requirements and national standard best practice methods for control of these species to an acceptable level.</i>	
72	The Consent Holder must submit an annual monitoring report to Council to demonstrate compliance with the certified EMP required under Condition 16 of the land use consent. The Monitoring Report must include but is not limited to the following information: (a) Identification of pest plant and pest animal presence, a description of weed suppression outcomes, and confirmation of control measures undertaken; (b) Photographic records from fixed monitoring points demonstrating vegetation establishment and progression over time and a description of canopy development and species survival rates; (c) Recommendations for remedial planting or maintenance actions where performance criteria are	These amendments largely consist of spelling changes to ensure that the conditions are interpreted and enforced correctly. With regards to clause (f), it is sought 'should check' is replaced with 'must include' so that the required content of the podocarp review is clear.

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	not being met and/or where alternative weed control measures are required;	
	(d) An assessment of whether $\geq 20\%$ drought-related mortality of any species has occurred with <u>in</u> the year that is the subject of the Monitoring Report. If this has occurred for any species the consent holder must review the suitability of the species for planting within the site. The assessment must state the basis for attributing mortality to drought, as distinct from other causes such as browsing, poor planting technique, or weed competition. Where a species is found not to be suitable, any replacement species must be WF11-consistent and selected by a suitability <u>suitably</u> qualified ecologist and/or landscape architect and implemented within the next planting year and replacement planting will be undertaken to a level that is sufficient to maintain the intended planting density which is to be reported in the following year's monitoring report;	
	(e) An assessment of whether the required minimum 90% plant survival rate and progression toward 80% canopy closure has been achieved;	
	(f) After five (5) years (or at the end of the establishment period if that period extends beyond year 5) a review of podocarp establishment is undertaken to be included in the monitoring report. This review, at a minimum, should check <u>must include</u> survival and condition of planted podocarps, reported separately from overall plant survival; and evidence of podocarp recruitment where recruitment is reasonably expected. This can be a simple qualitative assessment if quantitative monitoring is not proportionate; and	
	(g) Where the Year 5 check in (f) identifies an obvious	

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	shortfall in podocarp establishment relative to the intended WF11 trajectory, limited supplementary podocarp planting is required in suitable microsites within the next planting season. The monitoring report is no longer required when it can be demonstrated that the planting has successfully established in accordance with Condition 16(j) of the land use consent (Ecological Management Plan).	

Comments on draft conditions of resource consent (Subdivision)

Condition #	Draft condition with marked up suggestions	Comments and reasoning
47 (table)	Common Infrastructure Lots 1901, 1904, 1905, 1930, 1931, 1932, 1908, 1628, 5025, 1920, 1910, 3000, 1270 Ownership and Management Responsibilities Lots 1901, 1904, 1905, 1930, 1931, 1932, 1908, 1628, 5025, 1920, 1910, 3000, and 1270 are to be transferred to the Resident's Society at the time of subdivision. The Resident's Society must ensure the long-term protection of the ecological values of the bush areas in accordance with the consent notice obligations. All maintenance must be undertaken in accordance with the Ecological Management Plan approved and referenced under Attachment 1 <u>prepared and certified in accordance with Condition XX.</u> The Resident's Society must ensure the public walkways are maintained to a reasonable standard.	The condition as drafted refers to the uncertified, draft management plan provided during the FTAA process. Maintenance should instead be undertaken in accordance with the final copy of the plan which has been certified by the Regulatory Authority.

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47(table)	Common Infrastructure Bush covenant areas: Lots 14–17, 76–86, 106–119, 155–167, 229, 251–268, 260–262, 277–279, 303–307, 315–318, 352–359, 471, 610–615, 931–948, 952–958, 999–1023, 1031–1047, 1052–1055, 1057–1058, 1060, 1069–1070, 1215–1216, 1218–1238, 1246–1250, 1269, 1270–1272, 1274–1278, 1401. Ownership and Management Responsibilities The ‘bush covenant’ areas identified on the scheme plan are to remain in private ownership. The overall responsibility for the implementation of all ongoing management and maintenance measures necessary to protect the ecological values of these areas, including pest and weed control, shall belong to the Resident’s Society in accordance with the Ecological Management Plan approved and referenced under Attachment 1 <u>prepared and certified in accordance with Condition XX.</u>	

Comments on draft conditions of resource consent (Stream Works)

Condition #	Draft condition with marked up suggestions	Comments and reasoning
New Addition	<u>Advice Note: Refer to the Freshwater Fisheries Approval for restrictions on in-stream works relating to fish passage.</u>	Outside of the FTAA process, the Applicant has obtained, from the Department, a Freshwater Fisheries Regulations Approval, pursuant to Regulations 43 and 44 of the Freshwater Fisheries Regulations 1983. This is in respect of certain temporary diversion structures, which act as a fish facility, in order to maintain fish passage during the construction of new culverts and/or removal of existing culverts as part of Stage 1 of the Delmore master-planned residential development. This addition is sought to promote consistency across the two approvals, being the resource consent and the Freshwater Fisheries Approval.

Condition #	Draft condition with marked up suggestions	Comments and reasoning
3	At least 20 working days prior to the commencement of any stream works (including reclamation of ponds), a NFCRP must be submitted to the Council for certification. The NFCRP must be prepared by a suitably qualified and experienced Freshwater Ecologist and must include the following detail; (h) Methodologies to capture fish within the impact stream, or justification there is no habitat for native fish present at the time of construction; (i) Hand search of the base sediments of the stream bed and banks for native fish that may have burrowed into the soils; (j) Fishing effort; (k) Details of the relocation site; (l) Storage and transport measures including prevention of predation and death during capture; (m) Euthanasia methods for diseased or pest species; (n) Confirmation on the habitat availability <u>and carrying capacity</u> of the relocation site to support fish at the time of stream works; and (o) An accidental discovery protocol for aquatic fauna which require specialised handling and relocation effort that is not otherwise covered in the standard methodologies (i.e. regionally threatened species as per the Conservation Status of Freshwater Fishes in Tamaki Makaurau / Auckland). This includes a protocol to implement the following actions:	This addition has been sought to ensure that the relocation site chosen has capacity to support the relocated fish population. This is necessary to aid with the survival of the fish relocated from the site of the proposed development.

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	• Immediately cease stream works (including dewatering) upon accidental discovery of any unexpected aquatic fauna and notify the Council. • Ensure aquatic fauna are left in a suitable environment where they will be unharmed while the NFCRP is updated. • Update the NFCRP to address handling and relocation of the unexpected aquatic fauna to be submitted to Council for re-certification. • Only re-commence the capture and relocation upon re-certification of the NFCRP.	